



Court Performance Measurements

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Judge Allen Superior Court**

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The Pilot Study

- 2009 Allen Superior Court received a Court Improvement Project Grant to pilot court performance measures in Child Abuse and Neglect Cases (CHINS).
- The Court selected the model developed by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) because it offered a broad selection of measurements that align with outcomes subject to federal audit under Titles IV-B and IV-E of the Social Security Act.
- This is important because the Court plays a key role in certain federal monitored outcomes with in the areas of safety, permanency, and child well being.



REASONS FOR COURT PERFORMANCE MEASUREMENT

- Court Performance Measures, for the first time, will provide the judiciary with its own data. We have the opportunity to generate our own data – data that is objective and readily interpreted. In future years, legislators, other agencies, the media, and the general public need not rely on the statistics of other agencies to evaluate the work of juvenile court judicial officers.



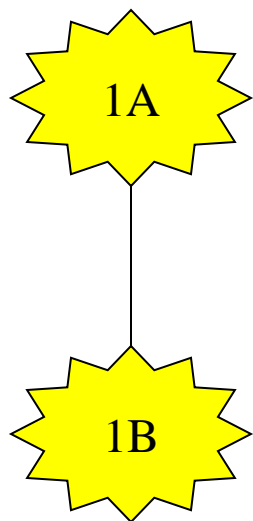
In addition through Court Performance Measurement we will eventually be able:

- To evaluate court reform practices and the use of grant funds;
- To objectively identify strengths and weaknesses of court activities;
- To instill public confidence in the judge's good stewardship of his or her office;
- To provide reliable court generated statistics to substantiate compliance with certain federal outcomes defined under Titles IV-B and IV-E of the Social Security Act.

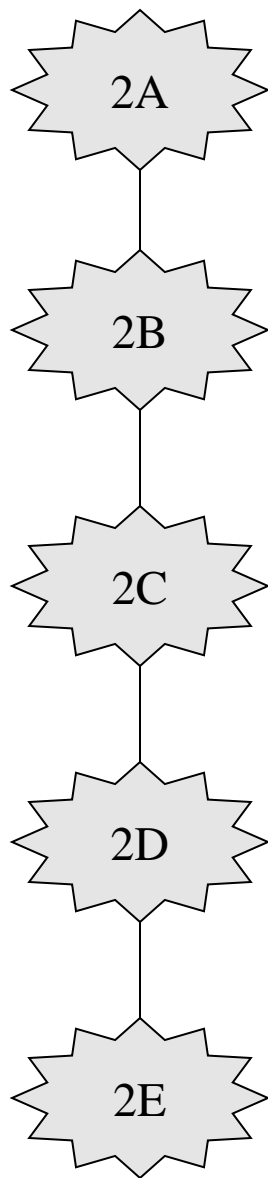
The OJJDP Model has thirty (30) Measures arranged under four general categories of:

- ❑ **“Safety (Measures 1A and 1B)** The goal of these two measures is to ensure that children are protected from abuse and neglect while under court jurisdiction.”
- ❑ **“Permanency (Measures 2A–2E)** The goal of these five measures is to ensure that children have permanency and stability in their living situations. The permanency measures encourage courts to examine the “bigger picture” of the court experience for the abused or neglected child.”
- ❑ **“Due Process (Measures 3A-3J)** Due process measures address the extent to which individuals coming before the court are provided basic protections and are treated fairly.”
- ❑ **“Timeliness (Measures 4A–4M)** The goal of these 13 measures is to minimize the time from the filing of the petition or emergency removal order to permanency. These measures help courts identify areas where they are doing well and areas where improvement is needed.”

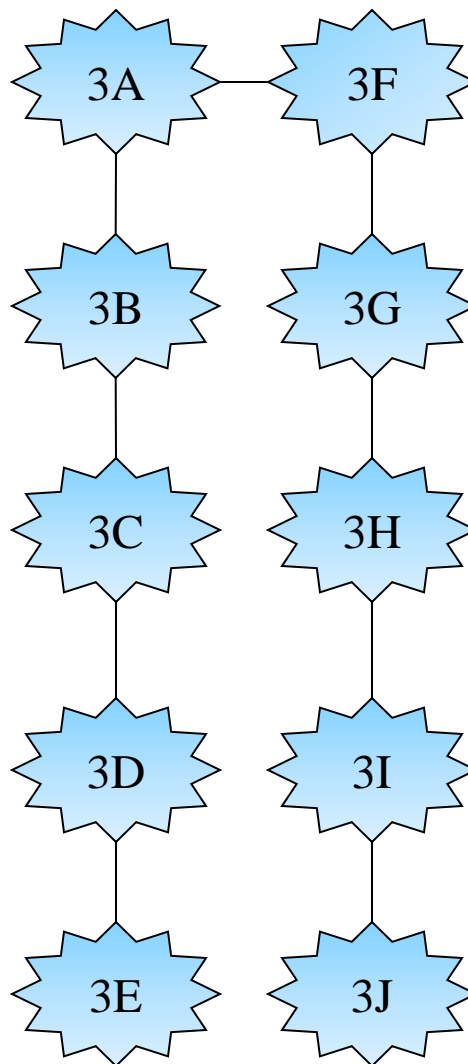
Safety



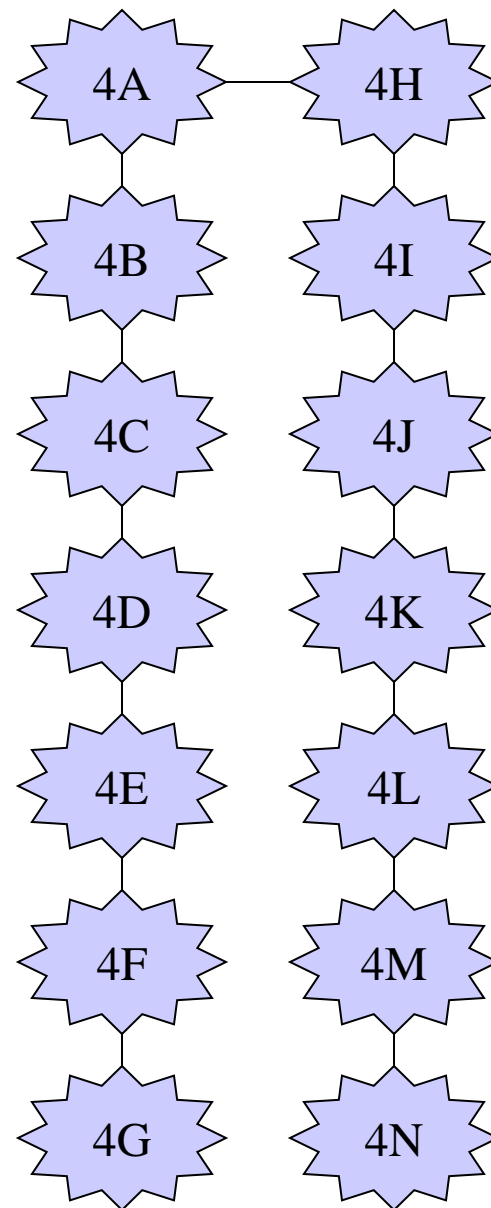
Permanency



Due Process



Timeliness





Court Improvement Project Funds

- ❑ Statewide application of *Timeliness Measures* is required for future receipt of federal funds for the Court Improvement Project.
- ❑ In 2012, states were required to develop an implementation and reporting plan for the five timeliness measures selected. States will be required to report on these measures annually, starting in federal fiscal year 2013.

Requirements for CIP

- **CIP Data Collection Reporting Requirements for FY 2012-2016** States will be required to collect and report on five timeliness measures beginning in 2013. Four of the measures are taken from *Court Performance Measures in Child Abuse and Neglect Cases* (commonly known as the “Toolkit”). The Toolkit measures were selected based on importance to court function, relevance of these data to CFSR and IV-E foster care reviews and the feasibility of courts collecting the relevant data. The Toolkit can be found online at <http://ojjdp.ncjrs/publications/toolkit.html>.



The Five Timeliness Measures

- ❑ Time to Permanent Placement.
- ❑ Time to First Permanency Hearing.
- ❑ Time to Termination of Parental Rights Petition.
- ❑ Time to Termination of Parental Rights.
- ❑ Time to between each subsequent Permanency Hearing.



State-wide consistency in data collection is required

Thus, the data collected must strictly adhere to the definitions of the five Timeliness Measures.

Using the same definitions for data collection will enable the judiciary to identify, compare, and understand local, regional, and state trends.

Strengths and deficiencies can then be studied to identify best practices.



First Step: CASES EXCLUDED

Cases which have been in the system continuously for more than 5 years will be excluded from the dataset. These cases would impact data outcomes and not be a true representation of current practice.

All cases filed more than five years prior to October 1 of the reporting year shall be excluded from the report.



Second Step:

DATA SET IDENTIFICATION:

- Data is taken only from *cases closed* during the Federal Fiscal year.

- **For Example:** Only those cases in which wardship was terminated or in which the *final* order is issued terminating parental rights between October 1, 2012 and September 30, 2013 will be included in the data set.

Other data collection information

In order for local jurisdictions to be compared with one another, it is necessary to use the same start date and end date. **Indiana** will use:

- ❑ the date of the filing of the original petition as the start date, and
- ❑ the date for achieving legal permanency or the entry of the last termination order as the case closed date.



TIMELINESS MEASURE 4A

TIME TO PERMANENT PLACEMENT

“DEFINITION: Average (median) time from the filing of the original petition to permanency.

Children removed only

Measured from:

The date of the filing of

The CHINS Petition

To

The Date of Permanency

(The date of Wardship Termination)



Important difference in this measure
from the others:

ONLY THOSE CASES IN WHICH THE
CHILD HAS BEEN REMOVED FROM THE
ORIGINAL PARENT, GUARDIAN, OR
CUSTODIAN AT ANY TIME DURING THE
PENDENCY OF THE CASE ARE REPORTED
IN THIS MEASURE.

Date of Permanency

□ Defining Permanency:

Proper Date for “Legal Permanency”: A significant issue remains as to the proper date to be applied for *legal permanency*. The *Technical Guide* defines legal permanency as the date when a legal relationship between the adult caregiver and the child is secured. The Guide recognizes that this may include different dates for different types of permanencies.

Permanency date = Wardship Termination Date

- The permanency date is the date that wardship is terminated. The case management system should be equipped – ideally through markers in the final order – to reflect the following information:
 - Wardship is terminated;
 - Permanency was or was not achieved;
 - Type of permanency achieved (eg.: reunification, change of custody to noncustodial parent or relative, guardianship, termination of parental rights, adoption, independent living with planned living arrangement; collaborative care agreement, or adult services);
 - If permanency was not achieved the order should list the reasons wardship was closed. For example, the child was emancipated, the child is self-sustaining in an independent living arrangement, the child died, or the child has absconded;

TIMELINESS MEASURE 4G

TIME TO FIRST PERMANENCY HEARING

- **“DEFINITION:** Average (median) time from filing of the original petition to the first permanency hearing.

Measured from:

The date of the filing of the CHINS petition

To

First Permanency Hearing Date

Indiana Code 31-34-21-7 requires that, “The court shall hold a permanency hearing every twelve (12) months after the date of the original dispositional decree; or a child in need of services was removed from the child's parent, guardian, or custodian whichever comes first.”

TIMELINESS MEASURE 4H

TIME TO TPR PETITION

- **“DEFINITION:** Average (median) time from filing of the original petition to filing the petition for termination of parental rights (TPR).

Measured from:

The date of the filing of the CHINS petition

To

Date of filing each TPR Petition

TIMELINESS MEASURE 4H

TIME TO TPR PETITION

- ❑ **Mandatory Petitions to Terminate Parental Rights that include automatic self dismissal provisions should not be included in this measure.** Indiana Code 31-35-2-4 and Indiana Code 31-35-2-4.5 provide that the Department shall file a petition to terminate parental rights if the child has been removed from the parent's care for fifteen (15) of the most recent (22) months. The petition may include a provision for its automatic dismissal for compelling reasons. These petitions are outside the intent of this Measurement in that they may not be part of a case plan and a permanency order.

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TIMELINESS MEASURE 4I

TIME TO TERMINATION OF PARENTAL RIGHTS

- **“DEFINITION:** Average (median) time from filing of the child abuse and neglect petition to the termination of the parental rights.

Measured from:

The date of the filing of the *CHINS petition*
To
The TPR Order

TIMELINESS MEASURE 4 N

TIME TO ALL SUBSEQUENT PERMANENCY HEARINGS

- ❑ **“DEFINITION:** “The median length of time in days between each subsequent permanency hearing that occurs until final permanency is achieved. For example, the number of days between the first permanency hearing and the second permanency hearing, the second permanency hearing and the third, etc., for each hearing that occurs while the child remains in care.” (Quoted from CIP Program Instruction OMB Control #0970-0307)
- ❑ This Measure is outside the Toolkit and was not included in the pilot.

TIME TO ALL SUBSEQUENT PERMANENCY HEARINGS

- **EXPLANATION:** This measure shows how much time expires between each additional Permanency Hearings after the first Permanency Hearing is completed. Under this measure, a column of days is reported for each case having second permanency hearings and a column of days is created for each case having third permanency hearings and so on.
- The purpose of this measure is to demonstrate the level of compliance with the minimum times set by Federal and State laws in which States must complete Permanency Hearings.”



TIME TO ALL SUBSEQUENT PERMANENCY HEARINGS

- ❑ The time interval between each Permanency Hearing is to be being reported.
- ❑ A median time is calculated from all cases having a second permanency hearing.
- ❑ Another median time is calculated or all cases having a third permanency hearing
- ❑ Additional columns are created as the cases dictate.

